IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

WP(C).No. 15517 of 2007(V)

PETITIONER:

CHELAKATTU BASHEER, S/O.ALAVIKUTTY,
CHELAKKATTU HOUSE, KOLAKKADU P.O.,
KANNUR DISTRICT.

BY ADV. SRI.CIBI THOMAS

RESPONDENTS:

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1. K.V.JOSE, KOCHUTHAZHATHU HOUSE,
KOLAKKADU P.O., KANNUR.

2. KANICHAR GRAMA PANCHAYATH,
REP; BY ITS SECRETARY, KANICHAR,
KANNUR DISTRICT.

3. THE MEDICAL OFFICER, P.H.C. KOLAKKADU,
KANNUR DISTRICT.

4. R.D.O. THALASSERY, KANNUR DISTRICT.

5. THE DISTRICT COLLECTOR, KANNUR.

6. STATE OF KERALA, REP; BY CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

R1 BY ADV. SRI.K.V.PAVITHRAN
R2 BY SHRI P. NARAYANAN
R3 TO R5 BY SR. GOVERNMENT PLEADER (SHRI K. J. MOHAMMED ANZAR)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C). NO. 15517 OF 2007 V

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE NOTICE SENT BY THE THIRD RESPONDENT TO THE PETITIONER DATED 10.5.2006.

EXT.P2 TRUE COPY OF THE COMPLAINT SENT BY THE PETITIONER AND OTHER RESDENTS TO THE 2ND RESPONDENT DATED 20.5.2006.

EXT.P3 TRUE COPY OF THE NOTIFICATION ISSUED BY THE PANCHAYAT DATED 20.7.2006.

EXT.P4 TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT TO THE FIRST RESPONDENT DATED 23.6.2006.

EXT.P5 TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE 5TH RESPONDENT DATED 17.7.2006.

EXT.P6 TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT TO THE FIRST RESPONDENT DATED 7.8.06.

EXT.P7 TRUE COPY OF THE LETTER ISSUED BY THE WARD MEMBER OF THE PANCHAYAT DATED 28.9.2006.

EXT.P8 TRUE COPY OF THE COMPLAINT SENT BY THE PETITIONER TO THE HEALTH MINISTER DATED 6.12.2006.

RESPONDENTS' EXHIBITS:

EXT.R1(A) TRUE COPY OF THE PLAINT OF THE SUIT OS NO.96/06 AT THE MUNSIFF COURT, KUTHUPARAMBA.

EXT.R1(B) TRUE COPY OF THE LETTER DATED 22.5.2006 OF R1 TO R3.

EXT.R1(C) TRUE COPY OF THE LETTER DATED 3.7.2006 OF R1 TO R3.

EXT.R1(D) TRUE COPY OF THE APPLICATION FOR LICENCE DATED 23.8.2006 SUBMITTED TO 2ND RESPONDENT.

EXT.R1(E) TRUE COPY OF THE PLAINT IN OS 189/2006 OF MUNSIFF COURT, KUTHUPARAMBA.

EXT.R1(F) TRUE COPY OF THE REPORT OF THE ADVOCATE COMMISSIONER SUBMITTED IN THE ABOVE SUIT.

EXT.R1(G) TRUE COPY OF THE INTERIM PROHIBITORY INJUNCTION ORDER, IN IA. 1221/2006 IN OS NO.189/2006.

EXT.R1(H) TRUE COPY OF THE CONDITION OF THE BIO-GAS PLANT DULY CERTIFIED BY THE AGRICULTURAL OFFICER.

// TRUE COPY//

PS TO JUDGE.

K. M. JOSEPH, J.

W.P.C. NO. 15517 OF 2007 V

Dated this the 21st August, 2007

JUDGMENT

Petitioner has approached this Court feeling aggrieved by the running of the Piggery by the first respondent. It is submitted by the learned counsel for the petitioner that the first respondent has already filed a civil suit and obtained an interim order. Counsel for petitioner submits that the petitioner will get himself impleaded in the civil suit and raise his contentions there. Without prejudice to the right of the petitioner to raise his contentions available to him in the civil suit, this Writ Petition is disposed of.

K. M. JOSEPH, JUDGE

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